

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☒ Declaration Submitted with Initial Filing      OR      ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

|                               |                           |
|-------------------------------|---------------------------|
| <b>Attorney Docket Number</b> | 7493                      |
| <b>First Named Inventor</b>   | Anderson, David A., et al |
| <b>COMPLETE IF KNOWN</b>      |                           |
| <b>Application Number</b>     |                           |
| <b>Filing Date</b>            |                           |
| <b>Art Unit</b>               |                           |
| <b>Examiner Name</b>          |                           |

**As the below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FOODSTUFF CONTAINING A MOIST MEATY FILLING

*(Title of the Invention)*

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 11/26/2002 as United States Application Number or PCT International

Application Number Des. 29/171603 and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed     | Certified Copy Attached? |                          |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
|                                     |         |                                  |                          | YES                      | NO                       |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION — Utility or Design Patent Application**

|  |  |                                      |  |   |                                    |                             |              |                              |  |
|--|--|--------------------------------------|--|---|------------------------------------|-----------------------------|--------------|------------------------------|--|
| Direct all correspondence to: <input checked="" type="checkbox"/>  |  | Customer Number<br>or Bar Code Label |  |   |                                    | OR <input type="checkbox"/> |              | Correspondence address below |  |
| Paul M. Denk   |  |                                      |  |   |                                    |                             |              |                              |  |
| Name   |  |                                      |  |   |                                    |                             |              |                              |  |
| 763 S. New Ballas Rd., Suite 170   |  |                                      |  |   |                                    |                             |              |                              |  |
| Address  |  |                                      |  |   |                                    |                             |              |                              |  |
| St. Louis  |  |                                      |  |   | Missouri                           |                             | 63141        |                              |  |
| City   |  |                                      |  |   | State                              |                             | ZIP          |                              |  |
| USA  |  |                                      |  | 314-872-8136  |                                    |                             | 314-447-0390 |                              |  |
| Country  |  |                                      |  | Telephone   |                                    |                             | Fax          |                              |  |
| <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> |  |                                      |  |   |                                    |                             |              |                              |  |
| <b>NAME OF SOLE OR FIRST INVENTOR :</b>  |  |                                      |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                                    |                             |              |                              |  |
| Given Name David A.<br>(first and middle [if any])   |  |                                      |  |   | Family Name Anderson<br>or Surname |                             |              |                              |  |
| Inventor's Signature   |  |                                      |  |   |                                    |                             |              | Date                         |  |
| Terminal Island  |  |                                      |  | California  |                                    | USA                         |              | USA                          |  |
| Residence: City  |  |                                      |  | State   |                                    | Country                     |              | Citizenship                  |  |
| 700 Tuna Street  |  |                                      |  |   |                                    |                             |              |                              |  |
| Mailing Address  |  |                                      |  |   |                                    |                             |              |                              |  |
| Terminal Island  |  |                                      |  | California  |                                    | 90731                       |              | USA                          |  |
| City   |  |                                      |  | State   |                                    | ZIP                         |              | Country                      |  |
| <b>NAME OF SECOND INVENTOR:</b>  |  |                                      |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                                    |                             |              |                              |  |
| Given Name Richard L.<br>(first and middle [if any])   |  |                                      |  |   | Family Name Harpe<br>or Surname    |                             |              |                              |  |
| Inventor's Signature   |  |                                      |  |   |                                    |                             |              | Date                         |  |
| Terminal Island  |  |                                      |  | California  |                                    | USA                         |              | USA                          |  |
| Residence: City  |  |                                      |  | State   |                                    | Country                     |              | Citizenship                  |  |
| 700 Tuna Street  |  |                                      |  |   |                                    |                             |              |                              |  |
| Mailing Address  |  |                                      |  |   |                                    |                             |              |                              |  |
| Terminal Island  |  |                                      |  | California  |                                    | 90731                       |              | USA                          |  |
| City   |  |                                      |  | State   |                                    | ZIP                         |              | Country                      |  |
| <input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.  |  |                                      |  |   |                                    |                             |              |                              |  |

Applicant or Patentee: David A. Anderson and Richard L. Harpe  
Serial or Patent No.: \_\_\_\_\_ Attorney's Docket No: 7493  
Filed or Issued: \_\_\_\_\_  
For: Foodstuff Containing a Moist Meaty Filling

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ( X ) the owner of the small business concern identified below:  
(   ) an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF CONCERN: Wescotek, Inc.  
ADDRESS OF CONCERN: 700 Tuna Street  
Terminal Island, CA 90731

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled

**FOODSTUFF CONTAINING A MOIST MEATY FILLING**

inventor(s) David A. Anderson and Richard L. Harpe  
described in:

- (X) the specification filed herewith  
(   ) the application Serial No. \_\_\_\_\_  
(   ) Patent No. \_\_\_\_\_ issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME

ADDRESS

( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

NAME

ADDRESS

( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Paul M. Denk

TITLE OF PERSON OTHER THAN OWNER Attorney of Record

ADDRESS OF PERSON SIGNING 763 S. New Ballas Road, Suite 170  
St. Louis, Missouri 63141

SIGNATURE

DATE

3-6-04